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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 16

CONTEMPORARY FORMS OF SLAVERY

Mr. Alfonso Martínez, Mr. Eide, Mr. El-Hajjé, Mr. Guissé, Mr. Hakim, Mr. Maxim, Ms. Palley, Mr. Ramadhane, Ms. Warzazi and Mr. Yimer: draft resolution

1994/... Report of the Working Group on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its nineteenth session (E/CN.4/Sub.2/1994/33 and Corr.1), and in particular the recommendations contained in chapter VI,

Deeply concerned at the information it contains relating to the traffic in persons and the exploitation of the prostitution of others, the sale of children, child prostitution and child pornography, the exploitation of child labour, debt bondage, the removal of organs and slavery-like practices such as the phenomenon of child soldiers,

Noting that the status of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 19[illegible]nd the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 is still unsatisfactory,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery for its valuable work and in particular for its continued broad approach and flexible methods of work;

I. SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

A. Special Rapporteur on the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes

2. Warmly thanks the Special Rapporteur on the sale of children, child prostitution and child pornography for his participation in the nineteenth session of the Working Group and for his comprehensive intervention;

3. Takes note of the information on these problems submitted by the participants at the nineteenth session of the Working Group, and requests the Centre for Human Rights to transmit the information to the Special Rapporteur, along with the recommendations relating to his mandate;

4. Requests the Special Rapporteur, within the framework of his mandate, to continue to pay attention to issues relating to trafficking in children, such as organ transplantation, disappearances, the purchase and sale of children, adoptions for commercial purposes or exploitation and child prostitution;

5. Invites the Special Rapporteur to participate in the twentieth session of the Working Group;

B. Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography

6. Requests the Secretary-General to invite States to inform the Working Group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and to submit a report thereon to the Sub-Commission at its forty-seventh session and to the Commission at its fifty-second session;

7. Encourages all Governments to consider, in the context of the Programme of Action, the creation of programmes aimed at the social rehabilitation of all victims of trafficking, prostitution and pornography, in particular children;

C. Removal of organs from children

8. Requests the Secretary-General to invite again all Governments, United Nations organizations and bodies, including the United Nations

Children's Fund, the specialized agencies, in particular the World Health Organization, the International Criminal Police Organization and all relevant non-governmental organizations to pursue their investigation of allegations that children are victims of, or are even killed for, the removal of organs for the purposes of commercial transplants and to indicate any measures taken to counteract this practice wherever it exists, and to present a report to the Working Group at its next session;

9. Decides to continue to examine this matter in depth at its forty-seventh session and in particular to consider the advisability of drafting United Nations standards to ensure protection against unlawful organ transplants;

II. ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

10. Decides to transmit the report of the Secretary-General on the state of implementation of the Programme of Action on the Elimination of the Exploitation of Child Labour (E/CN.4/Sub.2/1994/34) to the Commission on Human Rights for its consideration;

11. Recommends that the Commission at its fifty-first session endorse the recommendation of the Sub-Commission, contained in its resolution 1993/5 of 5 August 1993, to appoint Mrs. H.E. Warzazi as Special Rapporteur on the exploitation of child labour and debt bondage, having regard to the importance of this study;

12. Urges all States, while attempting to eliminate ultimately the phenomenon of child labour, to adopt measures and regulations to protect child labourers and to ensure that their labour is not exploited.

III. ERADICATION OF DEBT BONDAGE

13. Takes note with satisfaction of the promulgation by States of laws against debt bondage and appeals to the Governments concerned to adopt all measures to implement such laws;

14. Recommends that the specialized agencies and in particular the financial institutions of the United Nations system ensure that the projects they support do not use or in any way promote bonded labour;

IV. CHILD SOLDIERS

15. Requests the Secretary-General to transmit to the expert appointed pursuant to General Assembly resolution 48/157 of 20 December 1993 the report of the Working Group and any other information made available on this issue;

V. PREVENTION OF TRAFFIC IN PERSONS AND EXPLOITATION OF THE PROSTITUTION OF OTHERS

16. Recommends that the Commission on Human Rights take into consideration at its fifty-first session and eventually adopt the draft programme of action for the prevention of trafficking in persons and exploitation of the prostitution of others;

17. Requests the Secretary-General to appeal to the World Tourism Organization to inscribe on the agenda for its next conference an item on sex tourism and its development;

18. Recommends that Governments restrict advertising which encourages sex tourism, and encourages them to establish specific projects for the protection of the victims of traffic in persons and of prostitution from the risk of contamination with the HIV virus and the spread of AIDS;

19. Urges States to introduce and reinforce education programmes alerting children to the risks of sexual exploitation and the consequences for individuals and for society of such exploitation;

20. Recommends that States take urgent measures designed to protect minors from exposure to or involvement in child pornography, and requests the Secretary-General to invite States to provide information on measures taken or already applicable in this regard;

21. Also recommends that national bodies for the prevention of prostitution be established in all States in order to assist in the rehabilitation and reintegration of victims of prostitution;

VI. MIGRANT WORKERS

22. Urges States to ratify the convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

23. Strongly condemns practices of unequal treatment of migrant workers and the denial to them of minimum human consideration and dignity;

24. Recommends to non-governmental organizations, in the framework of their activities, to give attention to the grave problems affecting migrant workers and to provide information to the Working Group in this regard;

VII. INCEST

25. Welcomes the decision of the Working Group to include this item in its agenda for the twentieth session and to consider ways to combat incest and the sexual abuse of children inside the family, and urges that adequate help be offered to victims of such practices;

26. Urges Member States to take adequate steps to punish suitably the perpetrators of this most heinous offence;

VIII. FORCED LABOUR

27. Considers that forced labour is a contemporary form of slavery;

28. Welcomes the decision of the Working Group to include this item in the provisional agenda of its twentieth session;

IX. MISCELLANEOUS

29. Decides to transmit the information received concerning the sexual exploitation of women and other forms of forced labour during wartime to the Special Rapporteurs on the question of the impunity of perpetrators of violations of human rights, and recommends that the Special Rapporteurs take into consideration the information on this question received by the Working Group during its nineteenth session;

30. Approves the timetable for the twentieth session proposed by the Working Group (E/CN.4/Sub.2/1994/33, chap. VI.B, recommendation 8);

31. Requests the Secretary-General to seek the views and suggestions of Member States and of intergovernmental and non-governmental organizations on proposals for future action of the Working Group with a view to the consideration of their replies by the Working Group at its forthcoming sessions;

32. Appeals to all Governments to send representatives to the meetings of the Working Group;

33. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

34. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining

periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and to include in their guidelines an item concerning contemporary forms of slavery;

35. Also recommends that the supervisory bodies of the International Labour Organisation and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

36. Requests the Secretary-General to transmit to the committees mentioned above, the Special Rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights the recommendations of relevance to them contained in the report of the Working Group;

37. Welcomes the decision of the Secretary-General to reassign to the Working Group a Professional staff member of the Centre for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Centre for Human Rights on issues relating to contemporary forms of slavery, prepare documentation well in advance and facilitate the attendance at the Working Group's sessions of the largest possible number of intergovernmental and non-governmental organizations with competence in the fields examined;

38. Again requests the Secretary-General to designate the Centre for Human Rights as the focal point for the coordination of activities and the dissemination of information within the United Nations system for the suppression of contemporary forms of slavery and to report on the measures taken for that purpose to the Commission on Human Rights at its fifty-first session and to the Working Group at its twentieth session;

39. Notes that the Economic and Social Council, in its resolution 1993/48 of 28 July 1993, approved the endorsement by the Commission on Human Rights of

the recommendation made by the Sub-Commission in its resolution 1992/2 of 14 August 1992 that arrangements regarding the organization of the sessions of the Working Group on Contemporary Forms of Slavery, as contained in Commission decision 1992/115 of 3 March 1992, be repeated in subsequent years;

40. Recommends that the Commission make provision for adequate discussion of the issue of contemporary forms of slavery and of the Working Group's report near the beginning of each session, thereby strengthening its involvement in the activities of the Working Group on Contemporary Forms of Slavery.